

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 033388-588	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/500977</b>	
INTERNATIONAL APPLICATION NO. PCT/US03/00373		INTERNATIONAL FILING DATE 8 January 2003 (08.01.2003)		PRIORITY DATE CLAIMED 9 January 2002 (09.01.2002)	
TITLE OF INVENTION  EFFICIENT LIPOSOMAL ENCAPSULATION UNDER MILD CONDITIONS					
APPLICANT(S) FOR DO/EO/US Ailla POLOZOVA; Xingong LI; Walter R. PERKINS					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.					
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.					
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.					
4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).					
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).					
b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).					
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is attached hereto.					
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).					
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).					
b. <input type="checkbox"/> have been communicated by the International Bureau.					
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.					
d. <input checked="" type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
<b>Items 11 to 21 below concern document(s) or information included:</b>					
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. <input type="checkbox"/> A FIRST preliminary amendment.					
14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.					
15. <input type="checkbox"/> A substitute specification.					
16. <input type="checkbox"/> A change of power of attorney and/or address letter.					
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.					
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).					
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					
20. <input checked="" type="checkbox"/> Other items or information: <u>General Authorization for Petitions for Extensions of Time and Payment of Fees; Application Data Sheet; PCT Forms ISA/220 (08.08.2003) and IPEA/419 (24.10.2003).</u>					
21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Elan Pharmaceuticals, Inc., South San Francisco, California</u>					

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22. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
 and International Search Report not prepared by the EPO or JPO . . . . . \$1,080.00 (1611)

International preliminary examination fee (37 CFR 1.482) not paid to  
 USPTO but International Search Report prepared by the EPO or JPO . . . . . \$920.00 (1613)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
 but International search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$770.00 (1610)

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00 (1609)

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
 and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00 (1612)

<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	\$ 100.00	
Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30		

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	154	-20 =	134	x \$18.00 (1615)	\$ 2,412.00
Independent Claims	4	-3 =	1	x \$86.00 (1614)	\$ 86.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$290.00 (1616)	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$ 2,598.00</b>

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
 are reduced by 1/2. + \$ 0.00

**SUBTOTAL = \$ 2,598.00**

Processing fee of **\$130.00 (1618)** for furnishing the English translation later than ☐ 20 ☐ 30  
 months from the earliest claimed priority date (37 CFR 1.492(f)). \$ 0.00

**TOTAL NATIONAL FEE = \$ 2,598.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
 accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00 (8021)** per property +

**TOTAL FEES ENCLOSED = \$ 2,598.00**

	Amount to be refunded :	
	charged :	

a. ☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.


b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \_\_\_\_\_ to cover the above fees. A  
 duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
 Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

d. ☒ Charge \$ 2,598.00 to credit card. Form PTO-2038 is attached.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a)  
 or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

  
 \_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 NAME  
 Teresa Stanek Rea

\_\_\_\_\_  
 30,427  
 REGISTRATION NO.

\_\_\_\_\_  
 July 8, 2004  
 DATE